

**ERIE COUNTY LEGISLATURE  
MEETING NO. 18  
OCTOBER 5, 2017**

The Legislature was called to order by Chair Mills.

All members present.

An Invocation was held, led by Mr. Hardwick, who requested a moment of silence.

The Pledge of Allegiance was led by Ms. Dixon.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. LORIGO moved for the approval of the minutes for Meeting 17 from 2017.  
MR. BURKE seconded.

CARRIED UNANIMOUSLY.

Item 4 – No public hearings.

**MISCELLANEOUS RESOLUTIONS**

Item 5 – MR. BURKE presented a resolution Congratulating Leonard Gruszka of Doyle Hose Company #1 on Being Inducted into the Erie County Wall of Honor.

Item 6 – MR. BURKE presented a resolution Congratulating Earl Loder of Pine Hill Hose Company on Being Inducted into the Erie County Wall of Honor.

Item 7 – MR. BURKE presented a resolution Congratulating William Schroeder of Sloan Active Hose #1 on Being Inducted into the Erie County Wall of Honor.

Item 8 – MR. HARDWICK presented a resolution Commending The Sheridan Drive Lions Club and its President, Debbie Gajewski, on its 65th Anniversary, and Thanking the Organization for its Commitment to the Community.

Item 9 – MR. LORIGO presented a resolution Congratulating Sean Cunningham on Receiving the Greater East Aurora Chamber of Commerce's Excellence in Service Award at the 72nd Annual Business Recognition Awards Dinner.

Item 10 – MR. LORIGO presented a resolution Congratulating Tom Petrie on Receiving the Greater East Aurora Chamber of Commerce's Civic Award at the 72nd Annual Business Recognition Awards Dinner.

Item 11 – MR. LORIGO presented a resolution Congratulating Robb Mair on Receiving the Greater East Aurora Chamber of Commerce's Journey Award at the 72nd Annual Business Recognition Awards Dinner.

Item 12 – MR. LORIGO presented a resolution Congratulating Astronics/LSI Inc on Receiving the Greater East Aurora Chamber of Commerce's Visionary Award at the 72nd Annual Business Recognition Awards Dinner.

Item 13 – MR. LORIGO presented a resolution Congratulating Elm Street Bakery on Receiving the Greater East Aurora Chamber of Commerce's Showcase Award at the 72nd Annual Business Recognition Awards Dinner.

Item 14 – MR. LORIGO presented a resolution Congratulating Roycrofters-At-Large Association on Receiving the Greater East Aurora Chamber of Commerce's Happening Award at the 72nd Annual Business Recognition Awards Dinner.

Item 15 – MR. LORIGO presented a resolution Congratulating Tony Rome's Globe Hotel on Receiving the Greater East Aurora Chamber of Commerce's Legends Award at the 72nd Annual Business Recognition Awards Dinner, and Induction to the Hall of Fame for the Chamber of Commerce.

Item 16 – MR. MORTON presented a resolution Congratulating Joshua Allen Jeziorowski, Boy Scout Troop 352, on Achieving the Rank of Eagle Scout.

Item 17 – MR. MORTON presented a resolution Congratulating Kermit Stratman Jr of South Line Volunteer Fire Company on Being Inducted into the Erie County Wall of Honor.

Item 18 – MR. MORTON presented a resolution Congratulating George Scheehan of South Line Volunteer Fire Company on Being Inducted into the Erie County Wall of Honor.

MR. LORIGO moved for consideration of the above fourteen items. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved to amend the above fourteen items to include one miscellaneous resolution from MR. MILLS, MR. LORIGO, MS. DIXON, MR. HARDWICK, MR. MORTON & MR. RATH, and to include Et Al sponsorship. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved for approval of the above fifteen items as amended. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

**LOCAL LAWS**

Item 19 – CHAIR MILLS directed that Local Law No. 18 (Print #1) 2016 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 20 – CHAIR MILLS directed that Local Law No. 19 (Print #1) 2016 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 21 – CHAIR MILLS directed that Local Law No. 1 (Print #1) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 22 – CHAIR MILLS directed that Local Law No. 1 (Print #2) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 23 – CHAIR MILLS directed that Local Law No. 4 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 24 – CHAIR MILLS directed that Local Law No. 5 (Print #2) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 25 – CHAIR MILLS directed that Local Law No. 6 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 26 – CHAIR MILLS directed that Local Law No. 8 (Print #1) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 27 – CHAIR MILLS directed that Local Law No. 12 (Print #1) 2017 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 28 – CHAIR MILLS directed that Local Law No. 14 (Print #1) 2017 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 29 – CHAIR MILLS directed that Local Law No. 15 (Print #1) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 30 – CHAIR MILLS directed that Local Law No. 16 (Print #1) 2017 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 31 – CHAIR MILLS directed that Local Law No. 17 (Print #1) 2017 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

**COMMITTEE REPORTS**

Item 32 – MS. DIXON presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 197

September 28, 2017	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 14
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLER-WILLIAMS.  
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:
  - a. COMM. 11D-5 (2017)  
**DEPARTMENTS OF HEALTH & MENTAL HEALTH:** “Memorandum Regarding Intro. 7-8 (2017) Proposed Appropriations”  
(4-0) Legislator Grant not present for vote.

LYNNE M. DIXON  
CHAIR

Item 33 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MR. MORTON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 198

September 28, 2017	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 7
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ALL MEMBERS PRESENT.  
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:
  - a. COMM. 16D-14 (2017)  
**DEPARTMENT OF PUBLIC WORKS: "ECC STEM Building Report - July 2017"**  
(Chair's Motion)

KEVIN R. HARDWICK  
CHAIR

Item 34 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MR. MORTON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 199

September 28, 2017	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 8
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLER-WILLIAMS.  
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, all items are hereby tabled.

KEVIN R. HARDWICK  
CHAIR

Item 35 – MR. LORIGO presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 200

September 28, 2017	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 14
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ALL MEMBERS PRESENT.  
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 17E-5 (2017)

**COUNTY EXECUTIVE**

WHEREAS, the County of Erie desires to remediate brownfield properties and clear former industrial sites for productive reuse; and

WHEREAS, the Buffalo and Erie County Industrial Land Development Corporation (ILDC) has, as one of its goals and authorities, the ability to hold industrial property for management and improvement; and

WHEREAS, the ILDC is in the process of purchasing approximately 150 acres of former Bethlehem Steel property for redevelopment as a modern industrial park; and

WHEREAS, the Shoreline Trail is a walking and biking trail extending from the Niagara County line to the Buffalo/Lackawanna border; and

WHEREAS, it is the goal of Erie County and New York State to continue the Shoreline Trail to Dona Street in the City of Lackawanna and eventually to Woodlawn Beach State Park in the Town of Hamburg; and

WHEREAS, Erie County has been awarded a grant of \$980,000 from New York State Department of Transportation for the purpose of construction of the Shoreline Trail from the Buffalo City Line to Dona Street; and

WHEREAS, the ILDC desires to sell the fifty-foot wide right-of-way to Erie County for the nominal amount of ten dollars (\$10.00) to allow construction of the bike path.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contracts with the ILDC, to purchase the fifty-foot wide right-of-way along Route 5 in Lackawanna for the sum of ten dollars (\$10.00), to be paid for by the Department of Environment and Planning, Funds Center 16200; and be it further

RESOLVED, that the County Executive is authorized to execute any deeds necessary to acquire this parcel from the ILDC; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the County Executive; the Director of the Division of Budget and Management; the County Comptroller; the Director of Real Property Tax Services; the County Attorney; the Commissioner of the Department of Environment and Planning; and Christopher S. Pawenski in the Department of Environment and Planning.

(6-0)

2. COMM. 17E-12 (2017)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Public Works intends to purchase clothing and equipment required for compliance with Public Employee Safety and Health (“PESH”) and Occupational Safety and Health Administration (“OSHA”) requirements and to clean and certify the oil-water separators in various Highway Facilities; and

WHEREAS, in order to effectuate this purchase, it is necessary to transfer funds to the appropriate budget line; and

WHEREAS, funding for the needed transfers is available in BA 123, Fund 210, Account 506400, Highway Supplies, in the 2017 operating budget.

NOW, THEREFORE, BE IT

RESOLVED, that the following budget transfers are authorized in the 2017 Operating Budget – in Fund 210, Cost Center 1231010:

ACCOUNT	DESCRIPTION	CURRENT BUDGET	INCREASE/DECREASE	REVISED BUDGET
506400	Highway Supplies	\$3,917,564	(\$25,000)	\$3,892,564
505200	Clothing Supplies	\$ 3,000	\$ 3,000	\$ 6,000
510200	Training/Education	\$ 14,000	\$ 7,000	\$ 21,000
<u>516020</u>	<u>Professional Services</u>	<u>\$ 170,643</u>	<u>\$ 15,000</u>	<u>\$ 185,643</u>
TOTAL EXPENSES		\$ 4,105,207	\$ 0	\$ 4,105,207

; and be it further

RESOLVED, that certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(6-0)

3. COMM. 17E-13 (2017)

**COUNTY EXECUTIVE**

WHEREAS, the replacement of Trevett Rd. (CR420) Bridge over Clear Creek, BIN 3328340, PIN 5762.15, (the “Project”) was authorized by the Erie County Legislature in COMM 8E-9(2017); and

WHEREAS, the New York State Comptroller’s Office requires that resolution COMM 8E-9 (2017) be amended by three (3) statements prior to executing New York State’s agreement with Erie County for this project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby agrees that the County of Erie shall be responsible for all costs of the project which exceed the amount of the NY Bridge Funding award; and be it further

RESOLVED, that the County of Erie hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within three (3) years of commencing construction; and be it further

RESOLVED, this Resolution shall take effect immediately; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward six (6) original copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation.  
(6-0)

4. COMM. 17E-14 (2017)

**COUNTY EXECUTIVE**

WHEREAS, the replacement of Quaker St. Bridge over Clear Creek, BIN 3328340, PIN 5762.14, (the "Project"), was authorized by the Erie County Legislature in COMM 8E-10(2017); and

WHEREAS, the New York State Comptroller's Office requires that resolution COMM 8E-10 (2017) be amended by three statements prior to executing New York State's agreement with Erie County for this project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby agrees that the County of Erie shall be responsible for all costs of the project which exceed the amount of the NY Bridge Funding award; and be it further

RESOLVED, that the County of Erie hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within three (3) years of commencing construction; and be it further

RESOLVED, this Resolution shall take effect immediately; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward six (6) original copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation.

(6-0)

JOSEPH C. LORIGO  
CHAIR

Item 36 – MR. LORIGO presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 201

September 28, 2017	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 11
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLER-WILLIAMS.  
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 16E-17 (2017)  
**COMPTROLLER:** “Sales Tax Revenue Update”  
(Chair’s Motion)
  - b. COMM. 16E-19 (2017)  
**COMPTROLLER:** “NYSDOT Single Audit Report for Year Ended Dec. 31, 2016”  
(Chair’s Motion)
  - c. COMM. 16E-20 (2017)  
**COMPTROLLER:** “Federal Financial Assistance Audit Report for Year Ended Dec. 31, 2016”  
(Chair’s Motion)
  - d. COMM. 16D-15 (2017)  
**DEPARTMENT OF BUDGET & MANAGEMENT:** “Budget Monitoring Report for Period Ending July 2017”  
(Chair’s Motion)
  - e. COMM. 17E-7 (2017)  
**LORIGO:** “Letter to County Attorney Regarding Invitation to Attend Committee Concerning ECMCC Borrowing and Credit Mechanism”  
(Chair’s Motion)

JOSEPH C. LORIGO  
CHAIR

Item 37 – MR. MORTON presented the following report and moved for immediate consideration and approval. MR. HARDWICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 202

September 28, 2017	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 14
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ALL MEMBERS PRESENT.  
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 17E-6 (2017)  
**COUNTY EXECUTIVE**

WHEREAS, household hazardous waste is being generated by residents in Erie County; improper disposal of this waste has the potential to contaminate the air, land, and waters of Erie County and continued storage of hazardous household products in the home constitutes a danger to the occupants and the community; and

WHEREAS, Erie County has successfully conducted a model Household Hazardous Waste (HHW) Collection Program since 1988, servicing over 58,000 residents within Erie County; and

WHEREAS, Erie County's two Solid Waste Management Boards (SWMBs), the Northwest Solid Waste Management Board and the Northeast Southtowns Solid Waste Management Board, have incurred HHW costs; and

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) provides reimbursements to municipalities of up to fifty percent (50%) of the cost of HHW Programs, which Erie County and both SWMBs are dependent on to help offset the HHW costs; and

WHEREAS, until this past year, the state assistance procedure was for Erie County and the two SWMBs to apply separately for the 50% NYSDEC reimbursement, but now mandates that Erie County file one application on behalf of the County and the two SWMBs.

NOW, THEREFORE BE IT

RESOLVED, that the filing of an application for state assistance for the HHW Program on behalf of the County and the two SWMBs, in the form required by the NYSDEC, in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized; and be it further

RESOLVED, that Erie County agrees that it will provide reimbursement using said state funding of up to 50% to each SWMB for their portion of costs of the HHW collection program after the NYSDEC funds are received by the County; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to deposit the County portion of the NYSDEC reimbursement into GL 409000 – State Aid, Funds Center 1620040, Fund 110, and the SWMBs portion into a liability account, GL 212100 – Due to Other

Governments, Business Area 162, and make the necessary disbursements to the SWMBs out of this account; and be it further

RESOLVED, that five (5) certified copies of this resolution be prepared and sent to the NYSDEC together with a complete application; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the Office of the Comptroller; Thomas R. Hersey Jr., Commissioner of Environment and Planning; Bonnie Lawrence, Deputy Commissioner of Environment and Planning; Paul Kranz, P.E., Associate Engineer; and the County Attorney.

(6-0)

TED B. MORTON  
CHAIR

Item 38 – MR. RATH presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 203

September 28, 2017	PUBLIC SAFETY COMMITTEE REPORT NO. 15
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR GRANT.  
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 17E-11 (2017)  
**COUNTY EXECUTIVE**

WHEREAS, the Department of Homeland Security and Emergency Services, through the NYS Department of Homeland Security and Emergency Services, has agreed to provide funding in federal assistance to continue the implementation of programs to enhance the ability of Erie County to manage emergency and disaster situations; and

WHEREAS, the Erie County Legislature needs to authorize the County Executive to enter into a contract not to exceed \$12,000 with Federal Resources to conduct Hazmat/Weapons of Mass Destruction (WMD) training; and

WHEREAS, there is funding available in the FY 15 Regional Hazmat Grant Program to cover the costs incurred for this training; and

WHEREAS, the contract will be managed by the Erie County Department of Homeland Security and Emergency Services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into a contract with Federal Resources to conduct hazmat/WMD training in the amount not to exceed \$12,000 from available funds after budget modifications in Grant HS167HAZMAT1518, Fund 281, and Account 516020 – Professional Services; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the Department of Personnel, the Department of Homeland Security and Emergency Services c/o Melissa Calhoun, the County Comptroller, and the County Attorney.

(5-0)

2. COMM. 17E-15 (2017)

**COUNTY EXECUTIVE**

WHEREAS, the Probation Department is mandated to supervise Probationers through the use of home visits; and for officer safety is mandated to wear body armor in the field; and

WHEREAS, the Erie County Department of Probation currently has body armor which is expiring and must be replaced; and

WHEREAS, the Erie County Department of Probation desires to replace this expired body armor with new armor to protect its officers; and

WHEREAS, the Probation Department also has two five year old tasers which need replacement and can no longer be placed under warranty; and

WHEREAS, the County has available asset forfeiture funds of which a portion can be used to pay for both replacement of expired body armor, and the replacement of the two taser units; and

WHEREAS, there is no impact on the existing 2017 Erie County Adopted Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature approves the appropriation of Asset Forfeiture Funds and authorizes the following budgetary transfers in the 2017 Budget of the Probation Department, cost center 1261010:

REVENUE

421550 Forfeiture Crime Proceeds	<u>\$ 9,152</u>
REVENUE TOTAL:	\$ 9,152

APPROPRIATION

561410 Lab and Technical Equipment	Increase
	<u>\$ 9,152</u>
APPROPRIATION TOTAL:	\$ 9,152

and be it further

RESOLVED, that these expenditures meet the criteria established by the US Department of Justice for use of equitable shared funds; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the County Comptroller, the County Attorney and the Probation Department care of Christina Schrader at 1 Niagara Plaza.  
(5-0)

EDWARD A. RATH III  
CHAIR

**LEGISLATOR RESOLUTIONS**

None.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

None.

**SUSPENSION OF THE RULES**

Item 39 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 18-1 from LEGISLATORS LORIGO, MILLS, DIXON, RATH, HARDWICK & MORTON. Re: Support for an Increase in State Support for Cornell Cooperative Extension County Associations in the State of NY

RESOLUTION NO. 204

A RESOLUTION TO BE SUBMITTED BY LEGISLATORS  
LORIGO, MILLS, DIXON, RATH, HARDWICK & MORTON

WHEREAS, Cornell Cooperative Extension is a formal collaboration between the National Institute of Food and Agriculture at USDA, New York State, County Governments and the Citizens of the State that has served to apply unbiased, research-based knowledge from Cornell, New York's Land Grant University, to the needs of New Yorkers and their communities for over 100 years; and

WHEREAS, local extension educators are key community partners in helping to implement state initiatives including maximizing agriculture and local food systems, strengthening the economy, promoting healthier eating habits and access to good nutrition, fighting poverty particularly in rural areas, protecting water quality and stewardship of the New York's natural resources, building opportunity through STEM based youth education and leadership skills in 4-H, promoting renewable energy options while protecting farmland resources, and partnering where appropriate in Taste NY initiatives to promote tourism and local food and farm businesses; and

WHEREAS, support from Federal, State and County sources is essential to the continued success of locally-governed county cooperative extension associations; and

WHEREAS, state appropriations for county cooperative extension associations to match county government appropriations as authorized by §224(8) of the County Law have remained stagnant for seventeen years; and

WHEREAS, state funding is needed to ensure that the Cornell Cooperative Extension system can equitably work for all New York residents through increased resources to support rural, suburban, and urban community development needs.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature supports increasing the State appropriation for Cornell Cooperative Extension associations to \$8 million, such funds to be distributed directly to the associations through Cornell University as agent for the state as provided by law; and, be it further

RESOLVED, that certified copies of this resolution be sent to the Cornell Cooperative Extension, the Western New York delegation to the New York State Legislature and any other party deemed necessary and proper.

MR. LORIGO moved to approve the item. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 40 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 18-2 from LEGISLATORS SAVAGE, BURKE, LOUGHRAN, MILLER-WILLIAMS & GRANT. Re: Opposing Elimination of State and Local Tax Deductions in the Federal Tax Code

RESOLUTION NO. 205

**A RESOLUTION TO BE SUBMITTED BY LEGISLATORS  
SAVAGE, BURKE, LOUGHRAN, MILLER-WILLIAMS & GRANT**

WHEREAS, Leaders in Congress have recently proposed a massive federal tax “reform” plan which would include eliminating the State and local property and sales tax (“SALT”) deduction; a deduction which in 2015 was utilized by 125,000 Erie County residents and deducted on average nearly \$13,000 from their federal income tax returns; and

WHEREAS, since 1913, the SALT deduction has been utilized by households in all 50 states, with over 38 million individuals and families who earn less the \$200,000 claiming the deduction in 2015 alone. The deduction assists and makes possible local school funding, lowering

middle-income taxes, law enforcement, and infrastructure and job development while simultaneously increasing home ownership by offsetting the tax burden dealt to residents; and

WHEREAS, recently, a study conducted by PricewaterhouseCoopers (PwC) on behalf of the National Association of Realtors found that if the SALT deduction were to be removed, homeowners earning between \$50,000 and \$200,000 would see an average tax increase of \$815 while also decreasing the value of the mortgage interest deduction resulting in a 10% decrease in housing values; and

WHEREAS, the ability for individuals who itemize their taxes to utilize deductions is vital in relieving them from unnecessary burden and protecting their well-being; moreover, while this proposal clearly hurts middle-income working families, the legislation also provides huge tax breaks for the highest earners in the nation; and

WHEREAS, removing the time-honored exemption for State and local taxes to afford the ultra-wealthy tax breaks is simply bad public policy – especially at a time when corporate America has, over the last eight years, enjoyed the largest profits in history; in order words, this shockingly unfair proposal will sock it to middle class families in order to line the pockets of the super wealthy who just do not need financial respite; and

WHEREAS, tax policy should be fair and equitable, and taxes should be spread evenly and without prejudice or favoritism, yet with consideration for economic realities and in favor of relief for those who need it the most, and unfortunately this new federal proposal does not meet that standard; and

WHEREAS, upon review of the detrimental effects to both personal finances and home ownership, it is out of necessity that this Honorable Body join together to advocate on behalf of the millions of individuals who take advantage of the SALT deduction each year to protect the hard working residents of Erie County and the rest of the country.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body show its strong opposition to the removal of the SALT deduction as proposed by President Trump and Congressional leaders and show commitment to supporting a fair tax policy and deductions that support middle-class families; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the leadership of the US Congress; Representative Brian M. Higgins (D-NY); Representative Chris Collins (R-NY); the House Ways & Means Committee and Senate Finance Committee; and any other parties deemed necessary and proper.

MR. LORIGO moved for consideration. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved to amend the item to include Et Al sponsorship. MR. SAVAGE seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved to approve the item as amended. MR. SAVAGE seconded.

CARRIED UNANIMOUSLY.

Item 41 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 18E-11 from LEGISLATOR BURKE. Letter to Economic Development Committee Chair Regarding LL Intro. 14-1 (2017)

Received and filed.

Item 42 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 18E-12 from LEGISLATOR BURKE. Letter to Energy & Environment Committee Chair Regarding LL Intro. 1-2 (2017)

Received and filed.

Item 43 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 18E-13 from the COUNTY EXECUTIVE. Federal Aid Project Agreement – NYS DOT – Shoreline Trail Bethlehem Steel Project – Final Engineering, ROW Acquisition & Construction Phases (Design I-VI) – Cities of Buffalo & Lackawanna

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 44 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 18E-14 from the COUNTY EXECUTIVE. EC Sewer Districts – 2017 Assessment Rolls (2018 Levy) – Notice of Public Hearing

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 45 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 18E-15 from the COUNTY EXECUTIVE. Response to Comptroller Regarding Report on Erie County Industrial Development Agency Lower Income Housing Component Proposal

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 46 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 18E-16 from the COUNTY EXECUTIVE. Department of Senior Services – Aging by Design Planning Grant Establishment

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 47 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 18E-17 from the COUNTY EXECUTIVE. Department of Central Police Services – Authorization for Purchase of Laboratory Equipment

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 48 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 18E-18 from LEGISLATOR RATH. Letter to Sheriff and Homeland Security and Central Police Services Commissioners Regarding County Preparedness Strategy

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 49 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 18M-4 from EMPLOYEES, CHILD PROTECTION. Letter to Chair Mills Regarding Follow-Up to Child Protective Services Issues

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM THE COUNTY EXECUTIVE**

Item 50 – MR. LORIGO presented the following resolution and moved for consideration.  
MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 206

RE: Miscellaneous Engineering Services –  
2017 On-Call Contract - Village of  
Williamsville, Towns of Concord &  
Clarence  
(COMM. 18E-1)

WHEREAS, the Department of Public Works, Division of Highways has implemented the construction of the 2017 Overlay B project, CAP-30.227.228-2017, in which extra construction inspection services are required, in the amount of \$25,000.; and

WHEREAS, the County wishes to transfer ownership of Garrison Road to the Village of Williamsville under the auspices of the Turn Back Roads project. This project requires engineering design services in the amount of \$30,000.; and

WHEREAS, the Department of Public Works, Division of Highways needs engineering design services to replace a failed waterline at the Clarence Maintenance Facility, in the amount of \$30,000 to perform this work immediately; and

WHEREAS, a Contract Amendment to CHA Consultant Inc. project contract is necessary to provide the extra engineering services needed on all three (3) projects; and

WHEREAS, via Comm. 10E-24 of July 31, 2017 the Legislature approved CHA Consultants, Inc., as Consultant for the 2017 On-Call Contract; and

WHEREAS, the Department of Public Works, Division of Highways, determined that CHA Consultants, Inc. has the appropriate expertise and experience to respond in a timely manner.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute a Contract Amendment with CHA Consultants, Inc. for the required services in the amount of \$85,000 for the following:

B.16002 – 2016- Preservations of Roads	\$30,000 - 2017 Capital Overlay B
B.16050- 2016 - Capital Overlay	\$25,000 - Garrison Road



Item 56 – (COMM. 18E-7) Request to Director of Budget and Management for Budget Hearing Information

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE COMPTROLLER**

Item 57 – (COMM. 18E-8) Report for Apportionment and Distribution of Net Collections from the 4.75% Sales and Compensating Use Tax for Jun., Jul. & Aug. 2017

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM LEGISLATOR MORTON**

Item 58 – (COMM. 18E-9) Letter to County Executive Regarding Proposed Made in America Act

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE SHERIFF**

Item 59 – (COMM. 18E-10) L Division of Correctional Health - Transfer of Funds

Received and referred to the PUBLIC SAFETY COMMITTEE.

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM THE COMMISSIONER, DEPARTMENT OF PUBLIC WORKS**

Item 60 – (COMM. 18D-1) ECC STEM Building Status Report - Aug. 2017

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**FROM THE NFTA**

Item 61 – (COMM. 18M-1) Aug. 24, 2017 Board Minutes

Received and filed.

**FROM THE NYS DEPARTMENT OF TAXATION AND FINANCE**

Item 62 – (COMM. 18M-2) 2017 State Class & Equalization Rates - Various Cities and Towns

Received and filed.

FROM DAVID G. COHEN

Item 63 – (COMM. 18M-3) Copy of FOIL Request for Information

Received and filed.

ANNOUNCEMENTS

Item 64 – CHAIR MILLS announced the committee schedule for Oct. 12, 2017 has been distributed.

Item 65 – CHAIR MILLS announced the next regularly scheduled legislative session is Oct. 19, 2017.

MEMORIAL RESOLUTIONS

Item 66 – Legislator Burke requested that when the Legislature adjourns, it do so in memory of Norma May Scheck.

Item 67 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Toad “Gary” Kashino, Ann L. Mathews and Mary Pinker.

Item 68 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Paul E. Armesto, Ruth E. Novotny and William G. Young.

Item 69 – Legislator Loughran requested that when the Legislature adjourns, it do so in memory of Edward Michael “Buzzy” Flynn III.

Item 70 – Legislator Morton requested that when the Legislature adjourns, it do so in memory of Thomas R. Wisniewski.

Item 71 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Roy R. Neureuter, William Bruce Sanderson Jr and Michael J. Worczak.

Item 72 – Legislator Savage requested that when the Legislature adjourns, it do so in memory of Ludwig K. Zanner.

ADJOURNMENT

Item 73 - At this time, there being no further business to transact, CHAIR MILLS announced that the Chair would entertain a Motion to Adjourn.

MR. LORIGO moved that the Legislature adjourn until Thursday, October 19, 2017 at 2:00 p.m. Eastern Standard Time. MR. RATH seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS declared the Legislature adjourned until Thursday, October 19, 2017 at 2:00 p.m. Eastern Standard Time.

**KAREN M. McCARTHY**  
**CLERK OF THE LEGISLATURE**